

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Objection to the drawings

The Office Action Summary indicates that the drawings have been objected to. However, no reason for the objection is provided in the Detailed Action. Applicant respectfully requests that the examiner provide a reason for objection to the drawings, or indicate acceptance of the drawings in the next Official Action.

Objections to the specification

The specification stands objected to in view of the use of the trademark "VELCRO." The specification has been amended to replace each occurrence of the term "Velcro tape" with the generic term "hook and loop type fastening tape." In view of the amendments, withdrawal of the objection is requested.

Rejection of claims 1-4 under 35 U.S.C. § 103(a)

Claims 1, 2, and 4 presently stand rejected as being unpatentable over Strech (U.S. 5,320,249) in view of Mikhail (U.S. 2004/0169385), and claim 3 is rejected as being unpatentable over Strech and Mikhail in view of Mazzarolo et al (U.S. 6,250,545). These rejections are respectfully traversed for the following reasons.

Claim 1 has been amended to more clearly set forth the present invention. Amended claim 1 sets forth a bottle with a flexible handle comprising a ribbon of flexible material positioned vertically along one side surface of a bottle. A central portion of the ribbon is fixed to a central part of the bottle by a film which wraps around the central part of the bottle and overlies the ribbon. The film bears a trademark. Coupling members are adhered on the end portions of the ribbon, whereby the end portions of the ribbon may be brought together and coupled with one another to form a ribbon type handle.

It is respectfully submitted that the cited references fail to disclose or suggest each and every element set forth in claim 1 of the present application, and therefore claim 1 is allowable over the cited references.

None of the cited references teach or suggest a ribbon disposed vertically along one side of a bottle that is fixed at a central part of the bottle by a film, the film being wrapped about the central part of the bottle and overlying the ribbon.

Instead, Strech discloses a single-piece insulated jacket for a conical container that has a flat strip 30 of insulating material and a pair of handle strips 90 that extend from the flat strip 30 and which may be joined to form a handle. However, there is no film wrapped about a central part of a bottle and overlying a ribbon to hold the ribbon to the bottle. Because of the single-piece structure of Strech's insulated jacket, the handle strips 90 and the flat strip 30 must be of the same material.

In contrast, in the present invention the ribbon may be made of a different material than the film. This is advantageous in that, while the ribbon may be of the same material as the film, the ribbon may alternatively be made of a heavier material to form a more durable handle, or a different material for aesthetic appearance.

Mikhail provides no teaching or suggestion of a ribbon that is fixed to a bottle by an overlying film. Instead, Mikhail discloses a flat sheet of material having apertures for accommodating first and second (top and bottom) ends of a bottle, with a handle formed at one end of the strip.

Thus, neither Strech nor Mikhail disclose or suggest a film wrapped about a central part of a bottle and overlying a ribbon to hold the ribbon to the bottle, where the ribbon may be formed into a handle for the bottle. Therefore, the combination of these references cannot be said to disclose or suggest each and every element set forth in claim 1 of the present application.

New claims

New claims 5-10 have been added. Claims 5-10 recites material which is novel and non-obvious in view of the prior art of record, and it is therefore respectfully submitted that claims 5-10 is fully patentable over all the references of record.

Claims 5 and 6 depend from claim 1, and each recite aspects of the invention whereby ends of the ribbon are maintained adhered to, or proximate to, the surface of the bottle. Such arrangement allows the ribbons to be "stowed" to prevent damage to the ribbons during storage and handling of the bottles, while the ribbons are readily pulled into position to be joined to form a handle. Support for these claims is found at page 4 of the specification.

Claim 7 is a new independent claim, and claims 8-10 depend from claim 7. Support for new claims 7-10 is found throughout the specification.

Conclusion


In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-10 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,

  
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